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# A BILL FOR AN ACT

RELATING TO ELECTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 806-76, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§806-76 Court proceedings; reports to county clerk.**

4 Whenever in any circuit court, family court, or district court  
5 any citizen of eighteen years of age or over is:

6 (1) Convicted of any felony[+] and sentenced to a term of  
7 imprisonment; or

8 [~~2~~] ~~By reason of insanity acquitted of any such crime; or~~

9 ~~3~~] (2) Adjudged insane or feeble-minded or otherwise  
10 legally incompetent,

11 the clerk of the court [~~shall~~], in each case within [~~ten~~] twenty

12 days thereafter [~~make and promptly transmit~~], shall report to

13 the clerk of [~~each county a certificate showing~~] the county in

14 which the citizen is located the fact of the conviction or

15 adjudication and [~~a sufficient identifying description of the~~

16 ~~citizen.~~], to the extent readily ascertainable by the clerk of

17 the court, the citizen's name, any known aliases, date of birth,

18 social security number, and residence address or last known



1 residence address. For a citizen convicted of any felony and  
2 sentenced to a term of imprisonment, copies of the judgment of  
3 conviction and sentence and mittimus (warrant of commitment)  
4 shall be provided to the clerk of the county."

5 SECTION 2. Section 831-2, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) A person sentenced for a felony, from the time of the  
8 person's sentence until the person's final discharge, may not:

9 (1) Vote in an election, but if [~~execution of sentence is~~  
10 ~~suspended with or without~~] the defendant [~~being~~] is  
11 placed on probation or the defendant is paroled after  
12 commitment to imprisonment, the defendant may vote  
13 during the period of the [~~suspension~~] probation or  
14 parole; or

15 (2) Become a candidate for or hold public office."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on January 1, 2096.



**Report Title:**

Elections; Convicted Felons

**Description:**

Directs the judiciary to notify the clerk of the county in which an adult citizen is located within 20 days after the citizen has been convicted of any felony and sentenced to prison, or adjudged legally incompetent. Removes outdated references in the provision on the loss of voting rights for felons sentenced to imprisonment. Effective 1/1/2096. (HB2539 HD1)

